

**BEFORE THE TENNESSEE REGULATORY AUTHORITY**  
**NASHVILLE TENNESSEE**

November 30, 2004

**IN RE:**

**APPLICATION OF UNIVERSAL ACCESS, INC.  
FOR AUTHORITY TO PROVIDE OPERATOR SERVICES  
AND/OR RESELL TELECOMMUNICATIONS SERVICES  
IN TENNESSEE PURSUANT TO RULE 1220-4-2-.57**

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**DOCKET NO.  
00-00105**

**Company ID: 128524**

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**ORDER REVOKING AUTHORITY GRANTED TO  
UNIVERSAL ACCESS, INC. FOR FAILURE TO PROVIDE  
SURETY BOND OR IRREVOCABLE LETTER OF CREDIT**

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This matter came before Chairman Pat Miller, Director Deborah Taylor Tate and Director Ron Jones of the Tennessee Regulatory Authority (the "Authority"), the voting panel assigned to this docket, at a regularly scheduled Authority Conference held on November 8, 2004, to consider whether to revoke the authority of Universal Access, Inc. (the "Company") to conduct business in the State of Tennessee as a public utility for failure to comply with Tenn. Code Ann. § 65-4-125 (j) (2004).<sup>1</sup>

The Company originally filed its Application for a certificate to provide operator services and/or resell telecommunications services within the State of Tennessee on September 12, 2000. During a regularly scheduled Authority Conference held on January 9, 2001, the Directors found that the Company had met all the requirements for certification and the requirements of Tenn. Comp. R. & Regs.

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<sup>1</sup> Tenn Code Ann. § 65-4-125(j) (2004) provides:

By September 1, 2000, all telecommunications service providers subject to the control and jurisdiction of the authority, except those owners or operators of public telephone service who pay annual inspection and supervision fees pursuant to § 65-4-301(b), or any telecommunications service provider that owns and operates equipment facilities in Tennessee with a value of more than five million dollars (\$5,000,000), shall file with the authority a corporate surety bond or irrevocable letter of credit in the amount of twenty thousand dollars (\$20,000) to secure the payment of any monetary sanction imposed in any enforcement proceeding, brought under this title or the Consumer Telemarketing Protection Act of 1990, compiled in title 47, chapter 18, part 15, by or on behalf of the authority.

1220-4-2-.57, which was promulgated pursuant to, *inter alia*, Tenn. Code Ann. § 65-2-102 (2004) and Tenn. Code Ann. § 65-4-201 (2004), and voted unanimously to approve the Application as filed.

A notice advising the Company of its failure to comply with the requirements of Tenn. Code Ann. § 65-4-125(j) (2004) was mailed on August 13, 2004. A second notice was sent via certified mail on August 27, 2004.

As of the November 8, 2004 Authority Conference, the Company had failed to file with the Authority a \$20,000 corporate surety bond or an irrevocable letter of credit to secure the payment of any monetary sanction imposed in any enforcement proceeding. Accordingly, the panel voted unanimously to revoke the authority of the Company to conduct business in the State of Tennessee.

**IT IS THEREFORE ORDERED THAT:**

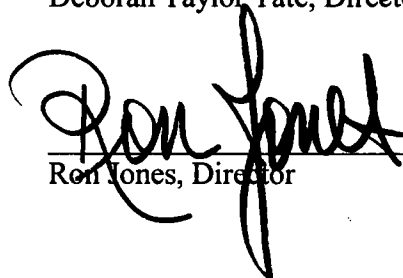
The authority of Universal Access, Inc. granted in Docket No. 00-00105 to conduct business in the State of Tennessee as a public utility is revoked, and this docket is closed.



Pat Miller, Chairman



Deborah Taylor Tate, Director



Ron Jones, Director